

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 25 1994

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 14 1993 under 58469The applicant Barrick Goldstrike Mines Inc.P. O. Box 29, of Elko,
Street and No. or P.O. Box No. City or TownNevada 89801, hereby make S. application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) _____

June, 1973, Colorado1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source2. The amount of water applied for is 5.6 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for Mining, Milling & Dewatering
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered _____

(c) Other use (describe fully under No. 12. "Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point NW 1/4 SW 1/4 Section 24, T
Describe as being within a 40-acre subdivision of public
36 N., R 49 E., MDB & M., at a point from which the NE corner of Section
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
19, T 36 N., R 50 E., MDB & M., bears N 73° 06' 29" E, 10,100.43 feet.6. Place of use See Attached
Describe by legal subdivision. If on unsurveyed land, it should be so stated.7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, Pump, Motor, Pipelines, and
State manner in which water is to be diverted, i.e. diversion structure, ditches and
Storage Ponds.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works. \$1,000,000

10. Estimated time required to construct works. 5 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use. 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is for an additional quantity of 1,321,100,000 gallons annually for consumptive use to meet increased processing, mining, potable water and reclamation requirements. Please use the map that accompanied application 58469 to accompany this application.

By HIGH DESERT Engineering, Agent
s/ Robert E. Morley
Robert E. Morley, 640 Idaho Street
Elko, Nevada 89801

Compared jr/vjw

Protested 8/8/94 by: Eureka County

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.6 cubic feet per second but not to exceed 4054.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 4, 1995

Proof of completion of work shall be filed before September 4, 1995

Application of water to beneficial use shall be filed on or before August 4, 1998

Proof of the application of water to beneficial use shall be filed on or before September 4, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 28 1995

Proof of beneficial use filed OCT 06 1998

Cultural map filed

Certificate No. 15144 Issued FEB 17 1999

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 7th day of December

A.D. 94

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights. This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

This permit will allow for the dewatering of the pit area. Any water obtained as a result of this dewatering operation shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses herein after referred to as mining and milling uses within the described place of use on this permit and by Newmont Gold Company for the same purposes stated above at what is known as the No. 4 Mill.

Any water not used for mining and milling purposes shall be utilized by the T S Ranch on land for irrigation use presently described under the place of use under Permits 16951, Certificate 5605; 16952, Certificate 5606; 28966, Certificate 10226; 28967, Certificate 10227; 29952, Certificate 10043; 29953, Certificate 10044; 30240, Certificate 10046; 30241, Certificate 10047; 30242, Certificate 10048; 30253, Certificate 10229; 30849, Certificate 10057; 31288, 31289, 34766, 34767, 34768, 34769, 34770, 34771, 34772, 34773, 36020, 36021, 36022, 36023, 36024, 52941, 52942, 52943, 52944, 52945, 52946, 52947, 52948, 52949 and 52950 or any subsequent changes of the place of use of these rights. The intent in the interests of the best and most efficient management of the resource is to substitute water from dewatering of the pit area for water presently authorized to be withdrawn from the Boulder Flat Groundwater Basin under the above described permits.

Any water from this dewatering operation shall not be discharged to any natural drainages or man-made drainages unless specifically approved by the State Engineer.

Any water not used for mining and milling purposes may be utilized: to address water right impairment, if any, resulting from the diversion of water pursuant to the Barrick Applications; to satisfy water use and water management requirements, if any, resulting from actions taken by other governmental agencies; to reinject or infiltrate water; to replace existing authorized ground water withdrawals; and to serve other beneficial uses that would not adversely impact other water rights. The authorized uses under this permit are subject to the terms and provisions of that "Stipulation, Settlement Agreement and Withdrawal of Protest" between Barrick or its successors and Eureka County filed in the State Engineer's Office on November 7, 1994.

This permit is subject to the "Boulder Valley Monitoring Plan" previously approved by the State Engineer on April 10, 1991.

This water may be diverted to storage and/or discharge through the reservoir constructed under Dam Application J-320. Rights to place such water to use for consumptive or non-consumptive purposes shall be provided under Primary Permit 55272 and any secondary permits issued thereunder.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount pumped from each well, the amount used for mining and milling purposes and the amount of water diverted to storage ;in the reservoir.

The total combined consumptive duty of water under Permits 54926, 54927, 54928, 55138, 55139, 55140, 55141, 55142, 55143, 55145, 55146, 55148, 55149, 55150, 57217, 57218, 57219, 57222, 57223, 57224, 57225, 57226, 57227, 57228, 57229, 57230, 57231, 57232, 57233, 57234, 58354, 58355, 58469, 58470, 58471, 58472, 58473, 58474, 58475, 58476, 58543, 58544, 58545, 58546, 58547, 58938-T, 58939-T, 58940-T, 58941-T, 58942-T, 58943-T, 58944-T, 58945-T, 58969-T, 58970-T, 58971-T, 58972-T, 58973-T, 59195-T, 59684-T, 59685, 59686, 59687, 59688, 59689, 59690-T, 59691-T, 59692, 59693, 59694-T, 59695-T, 59696-T, 59697-T, 59698-T, 59860 and 59861 shall not exceed 11733.0 acre-feet annually for mining and milling purposes.



6. Place of use.....

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

SE1/4 SW1/4, NE1/4 SE1/4, S1/2 SE1/4 Section 12; All of Section 13;
~~SW1/4 SW1/4, NE1/4 NE1/4, S1/2 NE1/4, SE1/4 Section 14; NW1/4 SE1/4,~~
 S1/2 SE1/4 Section 15; SE1/4 NW1/4, N1/2 SE1/4, NE1/4 Section 22;
~~W1/2 NW1/4, S1/2 SE1/4, N1/2 NE1/4, SW1/4 NE1/4 Section 23; All of~~
 Sections 24, 25, 26, T 36 N, R 49 E, MDB & M., S1/2 SE1/4, SW1/4
~~Section 7; S1/2 S1/2 Section 8; All of Sections 17, 18, 19 & 20;~~
 S1/2 NW1/4 Section 28; N1/2 Section 29; SE1/4 SE1/4, W1/2 E1/2, W1/2
 Section 30, T 36 N, R 50 E, MDB & M.

